OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: February 17, 2009

Agenda Item No.8(O)(1)(A)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Resolution No. R-115-09

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Non-Competitive Contracts that Would Bring the Cumulative Contract Value to More than $100,000

Recommendation

It is recommended that the Board of County Commissioners delegate to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the Options-to-Renew (OTRs) set forth in this item. Ordinance #07-139 provides for committee review exemption. ***Contract amounts and department allocations represent the maximum spending authority based on estimated past usage. This action does not guarantee that the total contract amount/value will be expended by County departments and/or agencies.***

Scope

The impact of the items in the accompanying OTR package is countywide in nature.

Fiscal Impact/Funding Source

The accompanying OTR package states the allocation amount and funding source for each department utilizing a contract. ***Funding will be expended only if departmental budgets can support the expenditures as approved in their Resource Allocation Plan adopted annually by the Board.***

Track Record/Monitor

There are no known performance issues with the vendors recommended for award in the accompanying OTR package. Each department's contract manager is reflected in the accompanying agenda item.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise OTRs in accordance with the terms and conditions of the contracts listed in the accompanying package.

Background

The non-competitive contracts listed in this item require approval to exercise OTRs contained in each contract that would, if exercised, bring the cumulative value of the contract over $100,000. Each of the contracts were awarded under the County Mayor or County Mayor's designee's delegated authority ($100,000 for non-competitive procurements) pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38.

Prior to exercising any Options-to-Renew (OTR) periods, market research is conducted to ensure continuing to purchase from the awarded vendors is in the best interest of the County. Market research includes competitive factors such as pricing, quality, product features, technology, and lead time. It may also include commercial factors such as environmental issues, other governmental entity practices, industry trends, support and capabilities. The OTRs for each contract in this package will be executed if determined to be in the best interest of the County.

Item No. 1: Draeger SCBA Leasing and Spare Parts seeks authority to exercise the three remaining OTR periods for a contract to lease Self Contained Breathing Apparatuses (SCBA) and to purchase maintenance parts for existing Draeger SCBA equipment used for Miami-Dade Fire Rescue. The amount being requested for the three remaining option terms is **$600,000.**

Item No. 2: STDA Telemetry Remote Operations System Support seeks authority to exercise the remaining OTR period for a contract to obtain technical and maintenance support for Storm Water Detention Treatment Area Telemetry and Remote Operations Systems for the Department of Environmental Resources Management. The amount being requested for the remaining option term is **$50,000.**

Item No. 3: Repair and Maintenance of McQuay HVAC Equipment seeks authority to exercise the remaining OTR for the inspection, repair, upgrade, preventative maintenance, and emergency support services provided by AAF McQuay for McQuay air conditioning units and related controls installed at the Lightspeed Building managed by the General Services Administration. The amount being requested for the remaining option term is **$100,000.**

Alan T. Hudak 2/2/09
Assistant County Manager

Item No. 1

Contract No.: BW8660-4/10-1

Contract Title: **Draeger SCBA Leasing and Spare Parts**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee, to exercise the three remaining Option-to-Renew (OTR) periods to lease Self-Contained Breathing Apparatuses (SCBA) and to purchase maintenance parts for existing Draeger SCBA equipment used by Miami-Dade Fire Rescue provided by Draeger Safety, Inc. The contract is in the first OTR period which expires on May 31, 2009. Exercising the three remaining OTRs will bring the cumulative value of the contract over $100,000.

	(Six Months) each OTR	
Initial Contract Term and Usage:	June 1, 2008 to Novernber 30, 2008	$ 200,000
First OTR and Usage:	December 1, 2008 to May 31, 2009	$ 200,000
Second OTR and Estimated Usage:	June 1, 2009 to November 30, 2009	$ 200,000
Third OTR and Estimated Usage:	December 1, 2009 to May 31, 2010	$ 200,000
Four OTR's and Estimated Usage:	June 1, 2010 to November 30, 2010	$ 200,000
Cumulative Value:		$1,000,000

Managing Agency/Funding Source: MDFR – Fire District Funds

Contract Measure: No measure

Review Committee Date: March 19, 2008; Item #2-06

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does not apply.

User Access Program: This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.

Vendor:	**Address**	**Principal**
•Draeger Safety, Inc. (Non-local vendor)	101 Technology Drive Pittsburgh, PA 15275	Wes Kenneweg

Performance Data: There are no performance issues with this firm.

Compliance Data: There are no compliance issues with this firm.

Contract Managers: Lourdes Betancourt, Department of Procurement Management

Marianela Betancourt, Miami-Dade Fire Rescue Department

JUSTIFICATION

This contract allows the Miami-Dade Fire Rescue Department (MDFR) to lease 50 Draeger Self-Contained Breathing Apparatus Units (SCBA), and to purchase maintenance parts for existing Draeger SCBA equipment.

MDFR purchased SCBA equipment from Scott Health and Safety in 2006, to replace its aging fleet of Draeger SCBAs. MDFR has not been able to place these new units in service due to failures and defects that have not been resolved with the manufacturer. The County is currently in litigation to resolve these issues. MDFR needs to keep the existing Draeger SCBAs functioning properly to ensure firefighter safety.

The National Fire Protection Association and the National Institute for Occupational Safety and Health require that all fire personnel be trained and certified on the use of respiratory equipment for firefighting operations. Professional standards also require that personnel receive a personally issued mask, and in some cases, regulators. As such, it is not feasible for MDFR to lease or introduce equipment from other manufacturers with different training procedures, or an incompatible masks and regulators. Due to training and compatibility issues, it is critical that MDFR's fleet of SCBA equipment be purchased from a single manufacturer.

Due to the need to ensure that existing units are in good working condition at all times, it is recommended that authorization for the remaining Option-to-Renew periods be approved.

Item No. 2

Contract No.:	SS8418-2/10	
Contract Title:	**STDA Telemetry Remote Operations System Support**	
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee, to exercise the next Option-to-Renew (OTR) period to obtain technical and maintenance support for Storm Water Detention Treatment Area Telemetry and Remote Operations Systems for the Department of Environmental Resources Management (DERM). Exercising the next OTR will bring the cumulative value of the contract over $100,000.	
Initial Contract Term and Usage:	August 2, 2007 to July 31, 2008	$ 50,000
First OTR and Usage:	August 1, 2008 to July 31, 2009	$ 50,000
Second OTR and Estimated Usage:	August 1, 2009 to July 31, 2010	$ 50,000
Cumulative Value:		$150,000
Managing Agency/Funding Source:	DERM – Proprietary Revenue	
Contract Measure:	No measure	
Local Preference:	Applied in accordance with the Local Preference Ordinance.	
Living Wage:	The Living Wage Ordinance does not apply.	
User Access Program:	This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.	

Vendor:	**Address**	**Principal**
•Locher Environmental Technology LLC (Non-local vendor)	1201 Shadow Drive Lakeland, FL 33810	Kevin A. Locher

Performance Data:	There are no performance issues with this firm.
Compliance Data:	There are no compliance issues with this firm.
Contract Managers:	Lourdes Betancourt, Department of Procurement Management Steve Blair, Department of Environmental Resources Management

JUSTIFICATION

This contract provides the Miami-Dade County Department of Environmental Resources (DERM) with technical and maintenance support for Storm Water Detention Treatment Area (STDA) Telemetry and Remote Operations Systems.

The STDA is a pilot partnership project between DERM, the Florida Department of Environmental Protection and the South Florida Water Management District. This project was initiated to evaluate the efficiency of using detention areas to modify the timing and distribution of freshwater flows to Biscayne Bay.

The project was built to allow remote operation and monitoring of critical hydrologic and environmental data. Specialized and sensitive gauges, equipment and software have been installed to provide information necessary to evaluate effectiveness. Such equipment and software need to be maintained, updated, and upgraded based on the data generated by the project.

Locher Environmental Technology LLC is the only vendor that can provide maintenance and support for this system. It is therefore in the best interest of the County to exercise the remaining Option-to-Renew period.

Item No. 3

Contract No.:	SS8451-4/12	
Contract Title:	**Repair and Maintenance of McQuay HVAC Equipment**	
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee, to exercise the next Option-to-Renew (OTR) period for the inspection, repair, upgrade, preventative maintenance, and emergency support services provided by AAF McQuay for McQuay air conditioning units and related controls installed at the Lightspeed Building managed by the General Services Administration (GSA). The contract is in its initial term which expires on March 2, 2009. Exercising the remaining OTR will bring the cumulative value of the contract over $100,000.	
Initial Contract Term and Usage:	March 3, 2008 to March 2, 2009	$100,000
First OTR and Estimated Usage:	March 3, 2009 to March 2, 2010	$100,000
Cumulative Value:		$200,000
Managing Agency/Funding Source:	GSA – Internal Service Funds	
Contract Measure:	No measure	
Review Committee Date:	August 29, 2007; Item #2-01	
Local Preference:	Not applicable	
Living Wage:	The Living Wage Ordinance does not apply.	
User Access Program:	This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.	

Vendor:	**Address**	**Principal**
•AAF McQuay, Inc. (Local vendor)	3540 W. Prospect Road, #201 Ft. Lauderdale, FL 33309	Richard Grenz

Performance Data:	There are no performance issues with this firm.
Compliance Data:	There are no compliance issues with this firm.

Contract Managers: Leonard Gonzalez, Department of Procurement Management

Juan Silva, General Services Administration

JUSTIFICATION

This contract allows the General Services Administration to continue to purchase inspection, repair, upgrade, preventative maintenance, and emergency support services provided by AAF McQuay air conditioning units and related controls installed at the Lightspeed Building.

The Lightspeed Building has approximately 20 McQuay air handlers ranging from 70 to 135 tons each which require evaluation, repair, and or upgrade in order to work properly. Each of the McQuay units has a microprocessor controller used for proper operation of the units that interact with the building's control systems. The interactions between the McQuay units and the control system require computer codes that are downloaded to the internal application. This application requires the proper maintenance and diagnostic tools that can only be provided by McQuay Factory Service Technicians.

AAF McQuay, Inc., the manufacturer, is the only company that has qualified staff that can address performance issues and maintenance with these McQuay units. No other company has the codes, computer programming, and technicians required to detect and repair specific malfunctions. It is therefore in the County's best interest to exercise the Option-to-Renew period.

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: February 17, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(A)

Please note any items checked.

_____	**"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Bid waiver requiring County Mayor's written recommendation**
_____	**Ordinance creating a new board requires detailed County Manager's report for public hearing**
_____	**Housekeeping item (no policy decision required)**
✓	**No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(A)
2-17-09

RESOLUTION NO. **R-115-09**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board delegates to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the options-to-renew set forth in this item when in the best interest of Miami-Dade County; and the Board further authorizes the County Mayor or the County Mayor's designee to execute any and all documents necessary to give effect to those renewals.

The foregoing resolution was offered by Commissioner Rebeca Sosa , who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of February, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Hugo Benitez